

EXHIBIT 9

From: Zinecker, Katie <Katie.Zinecker@bakermckenzie.com>
Sent: Thursday, April 8, 2021 9:45 AM
To: Clubok, Andrew (DC); Tomkowiak, Sarah (DC); Bjork, Jeff (LA); Posin, Kimberly (LA); martin.sosland@butlersnow.com; candice.carson@butlersnow.com
Cc: Hartmann, Michelle; Giles, Courtney; Dandeneau, Debra A.; Frances.Smith@judithwross.com
Subject: Adv. Proc. No. 21-03020-sgj, UBS Securities LLC and UBS AG London Branch v. Highland Capital Management, L.P.

Mr. Clubok,

Messrs. Scott Ellington, Isaac Leventon, JP Sevilla, Matt DiOrio and Ms. Katie Irving are in the process of retaining our firm, along with Ross & Smith, PC, to represent them in connection with the above-referenced case. We're writing because we received copies of your firm's Notices of Subpoena and Notices of Deposition. Although we are not authorized at this time to accept service of these Notices, we note that these Notices certainly do not comply with the requirement to provide a reasonable time for compliance and are otherwise unduly burdensome under Federal Rules of Civil Procedure 45. In the 5th Circuit, a reasonable time period for compliance under Rule 45 is generally considered to be at least 14 days. *See Oscar Renda Contr. v. City of Lubbock*, No. 5:05-CV-029-C, 2007 U.S. Dist. LEXIS 117266 (N.D. Tex. Sep. 17, 2007) (finding compliance of 16 days from service as reasonable); *see also Hall v. Louisiana*, No Civ. 12-657-BAJ, 2014 U.S. Dist. LEXIS 56165, 2014 WL 1652791 (M.D. La. Apr. 23, 2014) ("[12 and 9 day timeframes] are clearly unreasonable, particularly when the 14 day period for serving objections under Rule 45(c)(2)(B) is generally considered a reasonable time.").

While we're still in the process of being engaged, in the spirit of cooperation, we're willing to sit down and discuss these Notices. Are you available for a call to discuss this tomorrow or Monday?

Separately, as you may not be aware, Katie is legally unavailable on multiple counts under Federal Rule of Evidence 804(a)(4), as she is under disability and on maternity leave after she recently welcomed two twins who required a NICU stay. As such, she is unavailable for a deposition at this time. We hope that, under the circumstances, you would voluntarily withdraw your subpoenas with respect to Katie.

We look forward to your response.

Best,

Katie

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